

APPENDIX B. AGENCY LETTERS

THIS IS NOT A PERMIT

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife
Early Coordination/Environmental Assessment

DNR #: ER-16836

Request Received: February 15, 2013

Requestor: Indiana Department of Natural Resources
Ken W Cote
Division of Entomology & Plant Pathology
PO Box 29
Clear Creek, IN 47426

Project: 2013 Kudzu control treatment sites

County/Site info: Clark - Crawford - Clay - Dubois - Floyd - Gibson - Greene - Harrison - Jennings -
Johnson - Lawrence - Martin - Morgan - Orange - Posey - Sullivan - Vanderburgh - Vigo -
- Warrick - Washington

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

Regulatory Assessment: Formal approval by the Department of Natural Resources under the regulatory programs administered by the Division of Water is not required for this project.

Natural Heritage Database: The Natural Heritage Program's data have been checked. There have been no state listed species occurrences at most of the Kudzu treatment sites. However, the species below have been documented within 1/2 mile of the sites indicated. The Division of Nature Preserves does not anticipate any impacts to the listed plant species as a result of this project.
PLANT: Crawford 4 = roundleaf water-hyssop (*Bacopa rotundifolia*); state threatened
ANIMALS:
1) Jennings 9-11 = little spectaclecase (*Villosa lienosa*); state mussel species of special concern
2) Jennings 12 = barn owl (*Tyto alba*); state endangered
3) Sullivan 2 = northern crawfish frog (*Rana areolata circulosa*); state endangered

Fish & Wildlife Comments: We don't foresee any impacts to the barn owl as a result of these treatments.

There are decent mussel communities in Sand Creek near the Jnn-9, 10, and 11 treatment locations in Jennings County that should be protected. The herbicide used in the eradication of Kudzu may be of extreme importance in this case and others that are close to streams/rivers. The herbicides that leach into the ground and eventually into the stream over time should be avoided (i.e. Gramaxil, Tordon, and Garlon). The herbicides that have a very short life and don't leach into the ground should be used in areas like Jnn-9, 10, and 11 where mussel impacts are possible (glyphosate might be a good one to use). Regardless of the herbicide used, it should never be sprayed directly into the stream and prevailing winds should be considered to avoid unintentionally treating the stream in addition to the targeted areas.

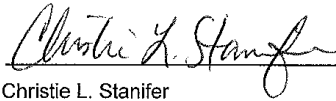
We do not foresee any impacts to the Northern crawfish frog if the site to be sprayed is an upland site with no water (wetlands, streams, ephemeral wetlands). If there is water nearby, extra care should be taken that the spray does not get in the water from March 1 through July 31. Only spray if there is no rain in the forecast. Also, we recommend using an herbicide that is labeled or safe for use around wetlands when water is near the site.

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Contact Staff:

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife
Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.



Date: February 28, 2013

Christie L. Stanifer
Environ. Coordinator
Division of Fish and Wildlife



Indiana Department of Natural Resources

Michael R. Pence, Governor
Robert E. Carter, Jr., Director

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March 19, 2013

Kenneth Cote
Indiana DNR, Division of Entomology & Plant Pathology
Bloomington Field Office
P.O. Box 29
Clear Creek, IN 47426

State Agency: Indiana Department of Natural Resources

Re: Project information regarding the 2013 Kudzu Eradication Project (DHPA #14542)

Dear Mr. Cote:

Pursuant to Indiana Code 14-21-1 the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("DHPA") has conducted a review of the materials received by the DHPA on February 15, 2013 for the above indicated project in Clark, Crawford, Clay, Dubois, Floyd, Gibson, Greene, Harrison, Jennings, Johnson, Lawrence, Martin, Morgan, Orange, Posey, Sullivan, Vanderburgh, Vigo, Warrick and Washington Counties, Indiana.

Based on our analysis, we do not believe that any historic properties will be altered, demolished, or removed by the proposed project. There are numerous archaeological sites in the proposed counties and potentially within or adjacent to the proposed project areas. However, it is our understanding that the proposed project includes the use of herbicide. Please be advised that the use of herbicide may cause damage to headstones, grave markers, and memorials. All chemical treatment should avoid contact with any headstones, grave markers, or memorials.

If any archaeological artifacts, features, or human remains are uncovered during construction, state law (Indiana Code 14-21-1-27 & 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646.

If you have any further questions regarding this determination, please contact the DHPA. Questions about archaeological issues should be directed to Cathy Draeger-Williams at (317) 234-3791 or cdraeger-williams@dnr.IN.gov. Questions about historic buildings or structures pertaining to this project should be directed to Kim Marie Padgett at (317) 234-6705 or kpadgett@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #14542.

Very truly yours,

Ron McAhron
Deputy Director
Indiana Department of Natural Resources

RM:KMP:CDW:edw

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